

HOUSE BILL 1032

By Shaw

AN ACT to amend Tennessee Code Annotated, Title 37,
relative to the department of children's services.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 37-5-132, is amended by adding the following new subsections:

(c)

(1) The commissioner shall ensure that no case manager is concurrently responsible for an unreasonable number of cases that undermines the department's capacity to ensure the life and safety of any child under the care and supervision of the department.

(2) Beginning January 1, 2025, the commissioner shall ensure that no case manager is concurrently responsible for more than fifteen (15) cases at any time, unless the commissioner determines that assignment of cases in excess of this limit is temporarily necessary to ensure the life and safety of any child under the care and supervision of the department.

(d) The commissioner shall ensure reasonable supervisory ratios to ensure supervisors can provide case managers effective leadership, oversight, and staff support.

(e) The commissioner is authorized to employ special response team personnel, who do not maintain regular caseloads but are available to assume cases from case managers to assist in maintaining caseload standards, respond to emergent situations, and guard against interruption in service delivery.

(f) In addition to the annual report required by § 37-5-105(4), beginning January 1, 2024, the department shall annually publish on the department's website:

(1) The average daily statewide caseload of case managers;

(2) The number of case managers whose caseload is above the average set forth in subsection (a) or the limit set forth in subsection (c);

(3) The ratio of supervisors to case managers; and

(4) The number of supervisors who supervise more than the average number of case managers;

(g) The department may segment published data related to caseload by type of work performed, including intake, placement, adoption, or other categories consistent with department policies.

(h) Beginning January 1, 2025, if the average daily caseload of case managers exceeds fifteen (15) cases per case manager for two (2) consecutive months or if ten percent (10%) or more of case managers have average daily caseloads exceeding fifteen (15) cases per case manager, then the department shall be considered noncompliant with caseload standards established pursuant to this section. In such circumstances, the department shall:

(1) Within fourteen (14) days of initial noncompliance under this subsection (h), deliver to the governor, members of the general assembly, and the Tennessee commission on children and youth notice of the noncompliance and a summary of emergent efforts being made to rectify the noncompliance; and

(2) Post, on a monthly basis, on the department's website, the average daily statewide caseload of case managers, until such time as the average daily

caseload has been maintained at fifteen (15) or fewer cases per case manager for thirty (30) consecutive days.

(i) If, on December 1 of each year the commissioner determines compliance with any of this section's requirements is infeasible or unwarranted, then the commissioner shall provide written notice to the governor and members of the general assembly.

SECTION 2. Tennessee Code Annotated, Section 37-5-132(a), is amended by deleting the language "The department shall maintain staffing levels of case managers" and substituting instead "Prior to January 1, 2025, the department shall maintain staffing levels of case managers".

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.